

22 - 2016 BOR Sponsored Legislation

Monday, February 01, 2016

11:03 AM

SOUTH DAKOTA BOARD OF REGENTS

Full Board

AGENDA ITEM: 4

DATE: December 15, 2015

SUBJECT: 2016 Board Sponsored Legislation

At its December 3, 2105 meeting, the Board approved submission of legislation as part of the 2016 legislative package for a new Math and Science Facility at Northern State University. The Board declined to authorize requested legislation for the renovation of Harding Hall at South Dakota State University based upon the use of HEFF M&R funds to construct a capital improvement. Subsequent to the meeting, SDSU presented a revised Harding Hall financing proposal that avoided using HEFF M&R funds for work that might not otherwise have been addressed as M&R projects.

The draft legislation has been developed for the Board's review and can be found in Attachment I.

1. An Act to authorize the South Dakota Building Authority or the Board of Regents to provide for the construction of a science and mathematics building on the campus of Northern State University in Aberdeen, to make appropriations therefor.

This bill authorizes the construction of a science and mathematics building on the campus of Northern State University in Aberdeen and provides two avenues to finance and to contract for the construction of the improvement and appropriates up to \$35,000,000 for such purposes. The project could progress either as a financed in whole or in part through Building Authority bonds or as a facility financed wholly from grants or donations received by the Board of Regents.

(Continued)

RECOMMENDED ACTION OF THE EXECUTIVE DIRECTOR

I move to authorize the Executive Director to submit the proposed bills for the NSU Math and Science Facility and the SDSU Harding Hall Renovation and Addition, to prepare additional legislation that may be required, and to make such modifications or, following its introduction, amendments to the bills as may be in his best judgment prudent, provided that such modifications or amendments shall not change the fundamental purpose of the authorized legislation, and, after consulting with the Board President and other members of the Board, to submit such additional legislation as may be necessary and proper.

Attachment II is NSU's Preliminary Facility Statement approved by the Board in June of 2015.

2. An Act to authorize the Board of Regents to contract for the renovation and construction of an addition to Harding Hall on the campus of South Dakota State University and to make appropriation therefor.

As did its predecessor, this bill appropriates up to \$12 million for the Harding Hall Renovation project. This version restricts use of \$3.3 million in HEFF M&R funds to portions of the project that could have been addressed as M&R projects had they been done singly, and it replaces the balance of the originally proposed M&R funds, \$3.7 million, with donations, federal or funds drawn from other external sources. As originally proposed, the remainder of the financing, \$5 million, may be drawn from other funds derived from university support fees.

**STATE OF SOUTH DAKOTA
NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016**

BILL NO.

Introduced by:

FOR AN ACT ENTITLED, An Act to authorize the South Dakota Building Authority or the Board of Regents to provide for the construction of a science and mathematics building on the campus of Northern State University in Aberdeen, to make appropriations therefor.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. It is in the public interest that the South Dakota Building Authority contract for the construction, completion, furnishing, equipping, and maintaining of, including heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and engineering services, asbestos abatement, removal of existing roofing and structures, and such other services or actions as may be required to construct a science and mathematics building on the campus of Northern State University in Aberdeen, all at the estimated cost of thirty-five million dollars. The South Dakota Building Authority may finance up to thirty-five million dollars of the construction costs through the issuance of revenue bonds, in accordance with this Act and chapter 5-12.

Section 2. The Board of Regents may finance and complete the project described in section 1 without the issuance of bonds pursuant to section 1 with funds obtained pursuant to section 5.

Section 3. All cost estimates contained in this Act have been stated in terms of 2015 values. The Building Authority, at the request of the Board of Regents, if the project proceeds under section 1, or the Board of Regents, if the project proceeds under section 2, may adjust

such cost estimates to reflect inflation as measured by the Building Cost Index reported by the Engineering News Record, additional expenditures required to comply with regulations adopted after the effective date of this Act, or donations, federal or other funds received pursuant to section 5; provided that such adjustments to construction cost estimates for any given project may not exceed 125% of the estimated project construction cost stated in section 1 of this Act.

Section 4. No indebtedness, bond, or obligation incurred or created under the authority of this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor against the property or funds of the State of South Dakota within the meaning of the Constitution or statutes of the state.

Section 5. The Building Authority and the Board of Regents may accept, transfer, and expend any funds obtained for the projects authorized in this Act from federal sources, donations or any other external source, all of which comprise a special fund for the benefitted project; and all monies deposited into that fund are hereby appropriated to the projects authorized by this Act in addition to the amounts otherwise authorized by this Act; provided that the aggregate increases to the estimated project funds from such sources may not exceed 125% of the estimated project construction cost stated in section 1 of this Act.

Section 6. The administration of the design and construction of the projects authorized in this Act shall be under the general charge and supervision of the Bureau of Administration as provided in chapter 5-14. The executive director of the Board of Regents and the executive secretary of the Building Authority, or their designees, shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

Section 7. If the project proceeds under section 1, The Board of Regents may make and enter into a lease agreement with the Building Authority and make rental payments under the

terms thereof, pursuant to chapter 5-12, from the higher education facilities fund for the purposes of this Act.

Section 8. Notwithstanding any other restriction in this Act to the contrary, the total project cost may be increased based on the receipts of grants or donations received pursuant to this Act. However, no adjustment to any cost estimates authorized by this Act may exceed one hundred twenty-five percent of the authorized expenditure authority stated in section 1 of this Act.

STATE OF SOUTH DAKOTA
NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

BILL NO.

Introduced by:

FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the renovation and construction of an addition to Harding Hall on the campus of South Dakota State University and to make appropriation therefor.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. The Board of Regents is hereby authorized to contract for the renovation and construction of an addition to Harding Hall, on the campus of South Dakota State University in Brookings, with furnishing and equipment including heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and engineering services, asbestos abatement, and such other services or actions as may be required to accomplish the project for an estimated cost of up to twelve million dollars, subject to permitted adjustments pursuant to section 3 of this Act.

Section 2. There is hereby appropriated for the purposes authorized in this Act from Higher Education Facilities Funds allocable to South Dakota State University for the purposes of maintenance and repair up to three million three hundred thousand dollars to address that portion of the project that would otherwise involve maintenance and repair projects; up to five million dollars from other funds derived from university support fees; and up to three million seven hundred thousand dollars, together with additional sums received pursuant to section 4 of this

Act to cover the remaining estimated cost estimate plus such cost increases as may be authorized under section 3 of this Act.

Section 3. The cost estimates contained in this Act have been stated in terms of 2015 values. The Board of Regents may adjust such cost estimates to reflect inflation as measured by the Building Cost Index reported by the Engineering News Record, additional expenditures required to comply with regulations adopted after the effective date of this Act, or federal funds received pursuant to section 4 of this Act.

Section 4. The Board of Regents may accept and expend any funds obtained for the project authorized in this Act from donations, federal sources or any other external sources, all of which comprise a special fund for the benefitted project; and all monies deposited into that fund are hereby appropriated to the projects authorized by this Act, subject to the limitations stated in sections 1, 2 and 3 of this Act.

Section 5. The administration of the design and construction of the projects authorized in this Act shall be under the general charge and supervision of the Bureau of Administration as provided in chapter 5-14. The executive director of the Board of Regents, or a designee, shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

SOUTH DAKOTA BOARD OF REGENTS

Committee on Budget and Finance

AGENDA ITEM: III – E

DATE: June 10-11, 2015

SUBJECT: Northern State University New Science and Math Building – Preliminary Facility Statement

Northern State University requests approval of its Preliminary Facility Statement to plan for the construction of a new Science and Math Building. This building would provide much needed lab space for faculty and student research purposes.

NSU's current prep rooms are overcrowded and difficult to maintain due to the number of courses being offered. Storage and lab prep spaces are also inadequate. NSU's mammal collection is currently being housed at SDSU because of space limitations on campus.

In addition, NSU has seen an increased success rate in its Math Lab program. This is causing limited space for growth in the program. Success of both the Math and Science Departments is contingent on sufficient space for teaching and research activities and equipment.

The proposed new facility would enhance recruitment, retention and the educational experience for students enrolled in chemistry, biology and environmental science programs. NSU's long term growth focuses on Biology and Environmental Science that would allow enhanced research and education outreach. New courses and programs will be developed and existing courses will be modified or discontinued to address the needs of the faculty and students. NSU's local and global visibility, increased enrollment, improved student retention and commitment to Teaching, Research, and Service will be enriched by the development of interdisciplinary programs.

The Higher Education Facilities Funds are committed until at least FY2020. The Board would then need to approve any projects to be funded beyond that point from HEFF. Approval of this project will allow NSU to develop schematics that can be used to raise private donations and develop a funding source proposal.

RECOMMENDED ACTION OF THE EXECUTIVE DIRECTOR

Approve NSU's Preliminary Facility Statement to plan for construction of a new Science and Math Building. This will allow NSU to develop its Facility Program Plan and outline more specific plan details, cost estimates and funding sources. If approved, the Board President should appoint a Building Committee representative to oversee the planning of this project. Approval of the Preliminary Facility Statement does not commit future HEFF dollars.

NSU New Science and Math Building PFS
June 10-11, 2015
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Additional details of this project are found in NSU's attached Preliminary Facility Statement. Local funds or donated funds will be used to develop the project's Facility Program Plan.

**PRELIMINARY FACILITY STATEMENT
FOR
CONSTRUCTION OF NEW SCIENCE AND MATH BUILDING
NORTHERN STATE UNIVERSITY
June 2015**

Northern State University requests approval of this Preliminary Facility Statement to construct a new science building.

1. GENERAL PROGRAMMATIC NEED TO BE ADDRESSED

The McWaldt-Jensen building which houses the math and science classes today was built in 1964. The building has been well-cared for and the science labs were renovated in 2011. However, we have run out of lab space which thus limits the opportunities available to students. For the most part, upper-level classes are being taught in the same space that faculty and students use for research purposes, which limits the number of students engaged in research and related learning opportunities at any given time. Storage and lab prep space are also inadequate. For example, our collection of mammals is currently being housed at SDSU because we have no space to keep the specimens here. Our existing prep rooms are overcrowded and somewhat difficult to maintain due to the number of courses we offer. NSU's Math Lab program helps train our Math Educators, but also has increased our success rate of general math understanding in students from ~50% to ~70%. As such, the numbers of College Algebra sections has increased from two to seven; therefore math also struggles with space issues. Limited space prevents additional growth in the Math Lab program as well as the Math and Math Education degrees. The success of the Math and Science Department has resulted in overutilization of current teaching facilities and insufficient space for research activities and equipment.

A state of the art science and math education facility will enhance recruitment, retention and the educational experience of students enrolled in chemistry, biology and environmental science programs. As part of NSU's long-term growth strategy, a focus on Biology and Environmental Science will 1) enable faculty to enhance their own research interests; 2) be engaging and beneficial for current NSU undergraduate students as well as enticing for students considering NSU; and 3) serve the community via education and outreach by addressing problems of local, regional, and potentially global importance. New courses and programs will be developed and existing courses will be modified or discontinued to address the needs of faculty and students. A series of interdisciplinary programs will be created to enhance NSU's local and global visibility, increase enrollment, improve student retention, and honor Northern's commitment to Teaching, Research, and Service. Our goal is to provide students an education in a modern learning environment with adequate lab and classroom space that has been designed and built to meet the needs of today's faculty and students.

Recent numbers and course offering adjustments in Biology.		
Descriptor	Academic year 2008-2009	Academic year 2014-2015
Number of (just) Biology majors	78	162 (~60% increase)
Number of labs utilized	8 (out of 8)	11 (out of 11) per semester
Number of General Biology lecture sections	1 section (with 80 students)	2 sections per semester
Number of General Biology lab sections	3 sections	4-6 sections per semester
Number of IDL (Freshman Seminar) sections	1 section (with 24 students)	3 sections (each with 24 students)
Number of Senior Seminar sections	1 section (with 20 students)	2 sections (each with 20 students), potentially 3 sections per year
Number of sections for following upper level courses: Microbiology, Genetics, Vertebrate Zoology, Invertebrate Zoology, Ecology, Plant Structure and Function	1 section (with 24 students)	2 sections (each with 24 students)

New course offerings in the last five years.	
Academic year 2008-2009	Academic year 2014-2015
Online Course Offerings (1): Medical Terminology	Online Course Offerings (14): Medical Terminology, Women in Science, Ocean Systems, Bioethics, Chemistry 106 and 108, Microbiology, Anatomy, Physiology, Soils in Society, Evolution, Mammalogy, Ornithology, and Herpetology
Environmental Course Offerings (4): Environmental Science and Conservation, Plant Systematic, Plant Structure and Function, and Evolution	Environmental Course Offerings (14): Environmental Science and Conservation, Plant Systematic, Plant Structure and Function Introduction to GIS, GIS II, Biogeography, Ocean Systems, Aquatic Ecology, Entomology, Marine Biology, Soils in Society, Evolution, Mammalogy, Ornithology, and Herpetology
No Biotech Courses	4 Biotech Courses: Proteomics, Cell Culture, Intro to Biotech, and Bioinformatics
No Statistics Course	1 Science Stats Course: Biostatistics

2. ANALYSIS OF CONSTITUENTS TO BE SERVED

This project will serve the students and faculty in College of Arts and Science.

3. ADDITIONAL SERVICES OFFERED

A new facility will make it possible to expand class offerings and provide enhanced student and faculty research opportunities. Adequate lab space will allow faculty to provide instruction in a more hands-on environment that will result in students who are better prepared in their field of study. Sufficient prep, storage and office spaces are also important space considerations.

4. COMPLIANCE WITH THE MASTER PLAN

The NSU Campus Master Plan prepared in 2001 and updated in 2009 identified the need for additional lab space, classrooms and faculty offices.

5. ANALYSIS OF NEEDS ASSESSMENT BASED ON THE FACILITIES UTILIZATION REPORT

Although the utilization report would show that the space can be used, the space is not designed to be utilized in a manner that meets the programmatic needs of faculty and students. Spaces do not accommodate the modern equipment and hands on teaching environment used today.

6. LOCATION

The facility would be located south of the current MeWaldt-Jensen building.

7. REALLOCATION OF OLD SPACE, IF ANY

Existing labs would be used for research. Space would also be available for expansion of E-Learning.

8. PROPOSED FUNDING SOURCE

While the total project cost is not known at this time, it is anticipated that a portion of the funds would be provided through private donations. NSU would like to request that HEFF or general funds also be considered as a potential fund source.

9. BUDGET FOR DEVELOPMENT OF A FACILITY PROGRAM PLAN

Local funds or private donations will be used to fund the facility program plan.